

EXHIBIT J

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**IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

TOM LAWLER, CLERK

N4D, LLC, a Delaware Limited
Liability Company,

Plaintiff,

v.

CHARLES GREGORY PASSMORE
a/k/a GREG PASSMORE, an
individual; BIRD ROCK
MULTIMEDIA, INC. d/b/a
PASSMORE LABS and/or Z MEDIA, a
California corporation; and DOES 1-50,
inclusive,

Defendants.

Civil Action File

No.: 10A 11197 7

JURY DEMAND

DEMAND FOR JURY TRIAL

COMPLAINT

COMES NOW Plaintiff N4D, LLC (“N4D” or “Plaintiff”) and hereby files its
Complaint, respectfully showing the Court as follows:

SUMMARY OF ACTION

Defendants Charles Gregory Passmore and his company Passmore Labs have,
over a period of years, fraudulently converted Plaintiff’s valuable 2D to 3D
conversion, volumetric rendering, computer graphics rendering and related

technology as well as Plaintiff's customers for their own uses and benefits in the film, entertainment, education, government, geophysical, meteorological and medical technology industries. From 2003 through 2009, the prior owner of N4D's intellectual property rights, 3DH Communications, Inc. ("3DH"), and later N4D, paid to Passmore and Passmore Labs over \$7.3 million, i.e., often in excess of \$100,000 per month, for the development of the 2D to 3D film conversion, computer graphic rendering, volumetric rendering technology and software, and related technology for the 3D marketplace, yet Passmore and Passmore Labs secretly filed and concealed from Plaintiff at least four separate patent applications involving the 2D to 3D conversion, volumetric rendering, and related technology, and have converted the technology and software to their own uses, including the selling, licensing or empowering other companies with the technology including Hollywood studios and film companies, including Legend 3D, and other possible companies in other industries, in violation of Passmore's non-compete and exclusivity agreements.

Plaintiff seeks: (a) a preliminary and permanent injunction enjoining Passmore and Passmore Labs, and any persons or entities related thereto, or acting in concert with them, from contracting, licensing or otherwise using the 2D to 3D conversion, volumetric rendering, computer graphics rendering, and related

technology and software including, without limitation, in the entertainment, education, geophysical, meteorological and medical industries; (b) an accounting; (c) an order and judgment that N4D, and not Passmore and/or Passmore Labs, owns the technology and underlying patents and any related intellectual property rights; (d) an order and judgment for actual, exemplary and compensatory damages, including 3DH's and N4D's lost profits, and/or for restitution and repayment of the over \$7.3 million paid to Passmore and Passmore Labs; and (e) an order and judgment for Plaintiff's reasonable attorneys' fees and costs.

THE PARTIES

1.

Plaintiff N4D is a limited liability company organized and existing under the laws of the state of Delaware, with its principal place of business in Suwanee, Georgia. 3DH Communications, Inc ("3DH") was a corporation organized and existing under the laws of the state of Georgia, with its principal place of business in Suwanee, Georgia. 3DH is the successor to the rights of 3DH Corporation and/or 3DH Company, LLC. N4D is the owner of certain assets previously owned by 3DH, including the claims alleged in this Complaint against Passmore and Passmore Labs, as a result of a June 22, 2009 foreclosure on 3DH's assets by 3DH's primary

creditor the Anthony and Vincent Balakian Family LLC (the “Balakian Company”) and a subsequent transfer of said assets by the Balakian Company to N4D.

2.

Defendant Charles Gregory Passmore a/k/a Greg Passmore (“Passmore”) is an individual residing and working in San Diego County, California. Passmore can be served with process at his business address at 4901 Morena Blvd., Suite 600, San Diego, California 92117.

3.

Defendant Bird Rock Multimedia, Inc. (“Bird Rock”) is a corporation organized and existing under the laws of the State of California, with its principal place of business in San Diego County, California, and which does business as Passmore Labs and/or Z Media (collectively “Passmore Labs”). Passmore at all times relevant to this Complaint was the President of Passmore Labs. Passmore, Passmore Labs and/or Z Media also were or are shareholders of 3DH. Plaintiff is informed and believes, and thereon alleges, that Passmore Labs also has done business using the name “Bird Rock Multimedia Corporation.” Defendant Bird Rock can be served with process through its agent for service of process, Jennifer Carol Hilbert, located at 4901 Morena Blvd., Suite 600, San Diego, California 92117.

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